

**Environmental Impact Assessment (EIA) for
Fremont Skate Park
PLN2011-00130**

DRAFT MITIGATED NEGATIVE DECLARATION

The following proposed project has been reviewed, pursuant to the provisions of Resolution No. 3231, as amended, of the City Council of the City of Fremont for the purpose of determining the likelihood of a significant adverse environmental impact occurring as a result of project completion.

NAME OF PROJECT: Fremont Skate Park

PROJECT NO.: PLN2011-00130/PWC8762

DESCRIPTION OF PROJECT: The proposed project is a community skate park located on a relatively flat one-acre site within the larger 450-acre Central Park. The skate park would be located on a portion of a former swim lagoon area that was filled between 2007 and 2010. After the skate park is constructed, the remaining two acres of the former swim lagoon would not be developed as part of this project.

The skate park is an outdoor facility that would be used by skateboarders and skaters ranging in age from two to sixty years, with the anticipated average user age of 14 years. The skate park would be open for use daily during standard park hours from sunrise to 10 p.m. The facility has been designed to incorporate both street and bowl type skating to enable use by a broad range of skaters. The facility would be constructed of structurally engineered poured-in-place concrete to minimize cracking and facilitate precision finish surfaces. Edges and ledges will be finished in a metal coping to protect it from the wear of grinding maneuvers. Selected areas would be finished with brick stamped and stained concrete.

Within the site, about 60 percent (25,000 square feet) of the area comprises skating surfaces. The skating surface area includes five general areas: street course; plaza; advanced bowl; snake run; and flow and mini bowls. The skate park provides unique skating features such as return banks, rails, and vertical walls. Integrated within the skating surface area would be landscape improvements intended to provide unique viewing opportunities, shade and cooling, and aesthetic enhancements/variation. The integrated landscape areas would be improved with integrated synthetic turf, trees, plantings, stormwater retention/percolation areas (to provide for on-site stormwater management from rain events and site improvements), as well as spectator and skating resting areas.

Non-skating surface improvements (outside of the skate surface area) include shade structures, picnic benches, spectator seating benches, drinking fountains, bike racks, lighting for night skating and safety/security, and trees and landscape. These non-skating surface amenities are intended to support observers at the skate park and would be standard in size and material as elsewhere in Central Park. Landscape improvements include shade trees along the perimeter of the facility, as well as transitional sod turf areas from the skate park to the larger Central Park area. Proposed lighting standards (e.g., poles) would be no taller than 30 feet with illumination shielded and directed downward. The rear (northeast) boundary of the skate park includes an eight-foot tall black clad fence. The other edges of the facility would be unfenced, typical for City park facilities.

Construction of the skate park is anticipated to take 6-months to complete. Estimated start of construction is targeted to commence in April 2012 and conclude in September 2012. Construction activities would occur consistent with the Fremont Municipal Code restrictions, being from Monday through Friday from 7 a.m. to 7 p.m. and Saturday/Holidays from 9 a.m. to 6 p.m. No construction activity would occur on Sundays. The remaining 2-acres (from the prior swim lagoon) of the fill (dirt) area will be used as the construction staging area. Excess fill from skate park construction will spread over the remaining 2-acre swim lagoon area. A few of the parking spaces (i.e., 6 to 10 spaces) directly adjacent to the skate park site will be used by construction workers to park their trucks/cars and place a few storage containers for use during the construction activity period. During the construction period, all construction equipment will be stored in the 2-acre fill area.

LOCATION OF PROJECT: 40500 Paseo Padre Parkway; Portions of APNs 525-0001-010-00, 525-0784-0002-00, 525-0784-0003-00, 525-0784-0004-00

GEOGRAPHIC LOCATION WITHIN CITY: Central Planning Area

NAME OF AUTHORIZED APPLICANT/AGENT: Roger Ravenstad, Senior Landscape Architect, City of Fremont

MAILING ADDRESS OF APPLICANT/AGENT:

City of Fremont

Community Services Department/Landscape Architecture Division

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Email: landscapearchitecture@fremont.gov

TYPE OF ENTITLEMENT SOUGHT: Skate Park Site Master Plan

EXPLANATION OF REASONS FOR THE FINDING: A finding is proposed that this project *will not* have a *significant* effect on the environment. The proposed skate park would result in construction of a one-acre recreational facility with 25,000 square feet improved with skating surfaces on an undeveloped dirt lot with no vegetation or trees. The project is located in an urban area and would not displace, destroy, or remove significant natural vegetation, wildlife, or natural resources. Mitigation measures have been incorporated into the project to reduce any potential construction related air quality and cultural resource impacts to a less-than-significant level.

Public Hearing: The Recreation Commission is tentatively scheduled to make a recommendation to City Council on this project on April 6, 2011. City Council is tentatively scheduled to consider the project at its April 12, 2011 meeting. Both meetings will occur at 7:00 p.m. in the City Council Chambers at 3300 Capitol Avenue. All environmental documents are available for review at 39550 Liberty Street, Fremont or online at www.fremont.gov/ceqa.

Any comments as to whether the draft negative declaration should become final or whether an EIR should be prepared for the project must be submitted within 20 days of the posting of this draft negative declaration. *The comment period begins March 24 and ends April 12, 2011.*

If this draft negative declaration becomes final by any approval agency other than the City Council, any person who wishes to protest such final action must do so within ten days of the date it becomes final by the filing of a written protest with the City Clerk and by payment of the required protest fee. If this draft declaration becomes final by City Council action, any person who disagrees with Council action may seek judicial review.

Posted in the Development Services Center on March 23, 2011.

Notice of Determination to be sent to:

<input type="checkbox"/>	Posting of Notice	<input checked="" type="checkbox"/>	County Clerk
<input type="checkbox"/>	Mailed to owners of contiguous property	<input type="checkbox"/>	Clearinghouse
<input type="checkbox"/>	Publish notice		

IF THERE ARE ANY QUESTIONS OR COMMENTS, PLEASE CONTACT:



Senior Landscape Architect

510.494.4723; ravenstad@fremont.gov

NAME

TITLE

PHONE NUMBER/E-MAIL



Recreation

Environmental Services

Landscape Architecture

Parks and Urban Forestry

510 494-4300 / 510 494-4753 fax | 510 494-4570 / 510 494-4571 fax | 510 494-4700 / 510 494-4721 fax | 510 979-5700 / 510 979-5708 fax

Mitigation and Monitoring Plan (MMP) for Fremont Skate Park Master Plan (PLN2011-00130/PWC8672)

Impact	Mitigation Measure	Implementation	Monitoring Responsibility	Status / Timing
<p><u>Impact 1:</u> Construction period activities could generate significant dust, exhaust, and organic emissions.</p>	<p><u>Mitigation Measure 1:</u> <i>Construction period dust control.</i> To reduce identified grading and construction related air quality impacts to a less-than-significant level, prior to initiating ground disturbing activities, the following measures shall be included in a Dust Control Plan and noted on construction plans with a designated contact person for on-site implementation of the Dust Control Plan.</p> <ol style="list-style-type: none"> 1. Water all active construction and site preparation work areas at least twice daily. 2. Cover all hauling trucks or maintain at least two feet of freeboard. 3. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads. 4. Limit idling of machinery by posting notices of CFR Title 13, Section 2485, restrictions of five minute duration. 5. Replant vegetation in disturbed areas as quickly as possible. 	Applicant/Community Services Department	City of Fremont/ Planning Division	During project construction period

Impact	Mitigation Measure	Implementation	Monitoring Responsibility	Status / Timing
<p>Impact 2: Ground disturbing activities related to construction of the project may unearth archaeological or paleontological resources resulting in a potentially significant impact to these resources.</p>	<p>Mitigation Measure 2: <i>Ground disturbing activities impacting archaeological and/or paleontological resources.</i> The project area is sensitive for archaeological and paleontological resources. The applicant shall inform its contractor(s) of the cultural sensitivity of the area by including the following directive in construction documents and any future grading plans for any components of the project:</p> <p>“If archeological and/or paleontological resources are encountered during project subsurface construction, all ground-disturbing activities within 25 feet shall be redirected and a qualified archeologist and/or qualified paleontologist contracted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any archeological and/or paleontological materials (e.g., fossils, bones, pottery, stone tools).”</p> <p>The City shall verify that the language has been included on the construction documents and grading plans prior initiating ground disturbing activities.</p> <p>Should any archeological or paleontological resources be encountered on the project site, they shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, adverse effects to the resources shall be avoided or such effects must be mitigated. Mitigation may include monitoring, recording the resource locality, data recovery and analysis, a technical data recovery report, and accessioning the material and technical report to a cultural resource repository. Upon completion of the assessment, a report documenting the methods, findings, and recommendations shall be prepared and submitted to the project applicant, the City of Fremont, and a resource repository, such as the Northwest Information Center of California Historical Resources Information System at Sonoma State University or the University of California Museum of Paleontology prior to finaling the skate park for use/occupancy.</p>	Project Applicant/ Community Services Department	City of Fremont/ Planning Division	During project construction period

Impact	Mitigation Measure	Implementation	Monitoring Responsibility	Status / Timing
<p>Impact 3: Project ground-disturbing activities may adversely impact Native American skeletal and cremated remains.</p>	<p><u>Mitigation Measure 3:</u> <i>Proper treatment of human remains.</i> If human remains are encountered, these remains shall be treated in accordance with Health and Safety Code Section 7050.5. The applicant shall inform its contractor(s) of the cultural sensitivity of the project area for human remains by including the following directive in contract documents and construction plans.</p> <p>“If human remains are uncovered, work within 25 feet of the discovery shall be redirect and the County Coroner notified immediately. At the same time, an archaeologist shall be contacted—if one is not already on site—to assess the situation and consult with agencies as appropriate. Project personnel shall not collect or move any human remains or associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Nation American Heritage Commission will identify a Native American Most Likely Descendant to inspect the site and provide recommendations for proper treatment of the remains and associated grave goods.”</p> <p>The City shall verify that the language has been included in the contract documents and on the constructions plans prior to initiating ground disturbing activities.</p> <p>Upon completion of the assessment, the archeologist shall prepare a report documenting the methods and results and provide recommendations regarding the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the Most Likely Descendent. The report shall be submitted to the applicant, the City of Fremont, and the Northwest Information Center prior to finaling the skate park for use/occupancy.</p>	Project Applicant/ Community Services Department	City of Fremont/ Planning Division	During project construction period